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Application Serial No. 10/595,663
Submission dated November 20, 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/595,663 Confirmation No. 4314
Applicant : Achim Menne
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Title : STARTING UNIT
TC/A.U. : tbd
Examiner : tbd

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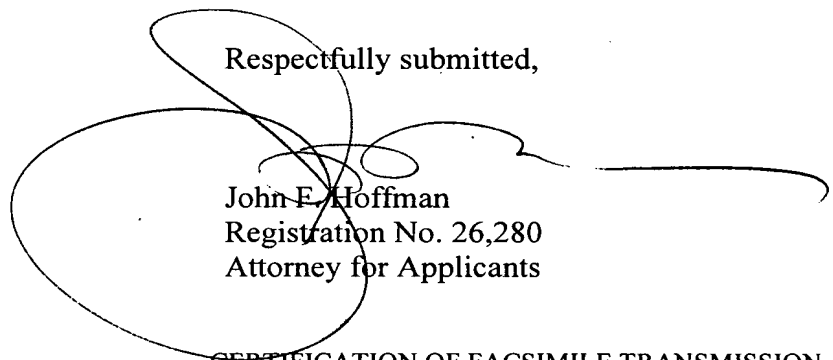
SUBMISSION OF INTERNATIONAL PRELIMINARY EXAMINATION REPORT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith is an English translation of the International Preliminary Examination Report.

Respectfully submitted,


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JFH/nw

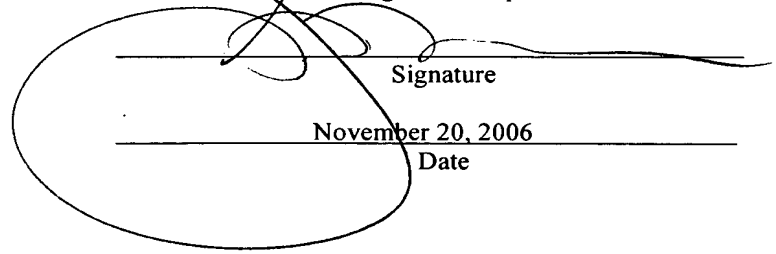
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CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on: November 20, 2006

JOHN F. HOFFMAN, REG. NO. 26,280
Name of Registered Representative


Signature

November 20, 2006
Date

From the INTERNATIONAL BUREAU

PCT

NOTIFICATION OF TRANSMITTAL
OF COPIES OF TRANSLATION
OF THE INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY
(CHAPTER I OR CHAPTER II
OF THE PATENT COOPERATION TREATY)
(PCT Rules 44bis.3(c) and 72.2)

To:

WEITZEL & PARTNER
Friedenstrasse 10
89522 Heidenheim
ALLEMAGNE

Eingang
Dr. Weitzel & Partner
- 2. Nov. 2006

RL: VT:

Endtermin:

IMPORTANT NOTIFICATION

Date of mailing (day/month/year) 26 October 2006 (26.10.2006)	
Applicant's or agent's file reference PG 06170WO	
International application No. PCT/EP2004/012698	International filing date (day/month/year) 10 November 2004 (10.11.2004)
Applicant VOITH TURBO GMBH & CO. KG et al	

1. Transmittal of the translation to the applicant.



The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter I).



The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter II).

2. Transmittal of the copy of the translation to the designated or elected Offices.

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following designated or elected Offices requiring such translation:

KR

The following designated or elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

AE, AG, AL, AM, AP, AT, AU, AZ, BA, BB, BG, BR, BW, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EA, EC, EE, EG, EP, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NA, NI, NO, NZ, OA, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW

3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability (Chapter II).

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned within the applicable time limit (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

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(PCIT Article 36 and Rule 70)

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No

PCT/EP2004/012698

Box No. 1

Basis of the report

1 With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ This report is based on translations from the original language into the following language _____ which is the language of a translation furnished for the purposes of:

☐ international search (Rule 12.3 and 23.1(b))

☐ publication of the international application (Rule 12.4)

☐ international preliminary examination (Rule 55.2 and/or 55.3)

2 With regard to the elements of the international application, this report is based on (replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report):

☐ the international application as originally filed/furnished

☒ the description:

pages 1-22 as originally filed/furnished

pages* _____ received by this Authority on _____

pages* _____ received by this Authority on _____

☒ the claims:

nos _____ as originally filed/furnished

nos* _____ as amended (together with any statement) under Article 19

nos* 1-18 received by this Authority on 18.08.2005 with letter

nos* _____ received by this Authority on of 16.08.2005

☒ the drawings:

sheets 1/4-4/4 as originally filed/furnished

sheets* _____ received by this Authority on _____

sheets* _____ received by this Authority on _____

☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

☐ the description, pages _____

☐ the claims, nos. _____

☐ the drawings, sheets/figs _____

☐ the sequence listing (specify): _____

☐ any table(s) related to sequence listing (specify): _____

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

☐ the description, pages _____

☐ the claims, nos. _____

☐ the drawings, sheets/figs _____

☐ the sequence listing (specify): _____

☐ any table(s) related to sequence listing (specify): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/012698

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-18	YES
	Claims		NO
Inventive step (IS)	Claims	1-18	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-18	YES
	Claims		NO

2. Citations and explanations (Rule 70.7)

1. This report makes reference to the following document:

D1: US-A-2 731 119 (BURDETT HARRY W ET AL) 17
January 1956 (1956-01-17)

2. D1 is regarded as the prior art closest to the subject matter of claim 1. It discloses (the reference signs in parentheses refer to D1):

a hydrodynamic coupling

- having an input that can be coupled to a drive (28) and an output that can be coupled to a drive output (10);
- having a hydrodynamic component comprising at least one primary impeller (24) and a secondary impeller (18) which, together, form an operating chamber that can be filled with operating material;
- having a switchable coupling (50,52) comprising at least two coupling elements that can be operatively linked in a

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International application No

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Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability:
citations and explanations supporting such statement

- frictionally engaged manner directly or indirectly via intermediate elements, the two coupling elements being one first (50) coupling output element that is at least indirectly connected in a rotationally fixed manner to the output and an adjusting device (18) associated therewith;
- having a stationary or rotating housing (16) that surrounds at least one of the impellers while forming an adjoining chamber (26);
 - the adjusting device (18) of the switchable coupling (50,52) being arranged in the adjoining chamber (26) and forming a first operating material supply channel (42) or chamber, and being actable upon by the pressure prevailing therein;
 - the operating material supply channel (42) or chamber being connectable, at least indirectly, to an operating material supply source (not shown);
 - having means (18) for influencing the transmission behavior of the hydrodynamic component (displacement of the secondary impeller) comprising at least one built-in mechanical part (18) that acts, at least indirectly, on the operating circuit that adjusts itself in the operating chamber;
 - having an adjusting device (piston 18) associated with the built-in mechanical part and means for acting upon said device with a differential pressure that results from the pressure in the first operating material

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Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

guide channel or chamber or in a channel or chamber coupled thereto or in the housing interior (26), and from a control pressure (23).

- 2.1. The subject matter of claim 1 differs from the known hydrodynamic coupling in that

the means comprises a built-in mechanical part that is arranged on an impeller in the form of separate elements that can be introduced into the operating chamber or of elements that form portions of the impeller walls, and said mechanical part acts, at least indirectly, on the operating circuit that adjusts itself in the operating chamber.

Therefore, the subject matter of claim 1 is novel (PCT Article 33(2)).

3. Therefore, the problem to be solved by the present application can be regarded as that of influencing, in certain areas, the moment that can be absorbed by the hydrodynamic coupling, namely in areas of high slippage.

- 3.1. The solution to this problem as proposed in claim 1 of the present application involves an inventive step for the following reasons (PCT Article 33(3)):

The additional features of claim 1 are not

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

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Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

rendered obvious by the known prior art.

4. Claims 2-18 are dependent on claim 1 and therefore likewise meet the PCT requirements for novelty and inventive step.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

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Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

5. Reference sign "A" for the output (claim 1 was not found in the drawings.
6. Reference sign "46" for the adjoining chamber (claim 1) was denoted as "47" in the description (page 13, line 29) and in figures 1-4.
7. Claim 14 and the description (page 19, line 29 to page 20, line 2) appear to contradict each other. It is not clear whether or not the built-in mechanical parts are connected to the secondary impeller.